

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JIMMY LYONS, *et al.*,

Plaintiffs,

v.

LITTON LOAN SERVICING LP, *et al.*,

Defendants.

Civil Action No. 1:13-cv-00513-ALC-HBP

Judge Andrew L. Carter, Jr.

Magistrate Judge Henry Pitman

NOTICE OF MOTION TO DISMISS OF DEFENDANTS AMERICAN MODERN INSURANCE GROUP, INC. AND AMERICAN MODERN HOME INSURANCE COMPANY

Defendants American Modern Insurance Group, Inc. and American Modern Home Insurance Company (collectively, “American Modern”) hereby give notice of their motion under Fed. R. Civ. P. 12(b)(6) for the entry of an order dismissing Plaintiffs’ Second Amended Complaint as against American Modern and for such other and further relief as this Court deems necessary and proper. A memorandum in support of the motion has been filed concurrently with this notice.

Respectfully submitted,

/s/ Mark A. Johnson

Lauren J. Resnick
lresnick@bakerlaw.com
BAKER HOSTETLER LLP
45 Rockefeller Plaza
New York, New York 10111
T 212.589.4200
F 212.589.4201

Mark A. Johnson (*pro hac vice*)
mjohnson@bakerlaw.com
Rodger L. Eckelberry (*pro hac vice*)
reckelberry@bakerlaw.com
Joseph E. Ezzie (*pro hac vice*)
jezzie@bakerlaw.com
Robert J. Tucker (*pro hac vice*)
rtucker@bakerlaw.com
BAKER HOSTETLER LLP
65 East State Street, Suite 2100
Columbus, OH 43215
Telephone: 614.228.1541
Facsimile: 614.462.2616

Attorneys for Defendants American Modern Insurance Group, Inc. and American Modern Home Insurance Company

CERTIFICATE OF SERVICE

The undersigned certifies that on February 20, 2015, I electronically filed the foregoing with the Clerk of the United States District Court for the Southern District of New York through the CM/ECF system, thereby automatically serving all registered parties.

/s/ Mark A. Johnson

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